

**REMARKS**

Claims 1-20 are pending in this application. Claims 5, 15 and 21-27 have been canceled without prejudice and claims 1, 6 and 16 have been amended by the present Amendment. Amended claims 1, 6 and 16 do not introduce any new subject matter.

**REJECTIONS UNDER 35 U.S.C. § 112**

Reconsideration is respectfully requested of the rejection of claims 1-20 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicants have amended claims 1, 6 and 16 to address the issues pointed out by the Examiner on page 2 and 3 of the June 17, 2008 Office Action. In addition, Applicants have canceled claims 5 and 15.

Accordingly, Applicants respectfully request that the Examiner withdraw the rejections of claims 1-20 under 35 U.S.C. § 112.

**REJECTIONS UNDER 35 U.S.C. § 103**

Reconsideration is respectfully requested of the rejection of (1) claims 1 and 5 under 35 U.S.C. § 103(a) as being unpatentable over JP 200252574A ("JP '574") in view of U.S. Patent No. 6,750,423 ("Tanaka"); (2) claims 2-3 under 35 U.S.C. § 103(a) as being unpatentable over JP '574 in view of Tanaka as applied to claim 1, and further in view of JP409213651 ("JP '651"); (3) claim 4 under 35 U.S.C. § 103(a) as being unpatentable over JP '574 in view of Tanaka as applied to claim 1, and further in view of JP359201441 ("JP '441"); (4) claims 6 and 15 under 35 U.S.C. § 103(a) as being unpatentable over JP '574 in view of Tanaka, and further in view of U.S. Patent No. 6,977,775 ("Sasaki") and U.S. Patent No. 4,701,591 ("Masaki"); (5) claims 7 and 8

under 35 U.S.C. § 103(a) as being unpatentable over JP '574 in view of Tanaka, and further in view of Sasaki and Masaki as applied to claim 6, and further in view of JP '651; and (6) claims 9-14 and 16-20 under 35 U.S.C. § 103(a) as being unpatentable over JP '574 in view of Tanaka, and further in view of Sasaki and Masaki as applied to claim 6, and further in view of JP '441.

*Rejections Based On Sasaki*

Applicants note that the U.S. filing date of Sasaki (May 13, 2003) is after the claimed foreign priority date (March 13, 2003) of the present application. Applicant also notes that, pursuant to sections 2136.03, 706.02(b) and 201.15 of the Manual of Patent Examining Procedure, M.P.E.P. §§ 2136.03, 706.02(b) and 201.15 (Rev. 2, May 2004), Sasaki may be precluded from being used as a ground for rejection if Applicants submit an appropriate English translation of Korean Patent Application No. 2003-15741 ("741 application"). If the Examiner requires, Applicants will file under separate cover an English translation of the certified copy of the '741 application and a statement that the translation is accurate.

Therefore, Applicants submit that because the foreign priority date of the '741 application (March 13, 2003) is prior to the effective date of Sasaki (May 13, 2003), Sasaki cannot be used as a reference to support a rejection under 35 U.S.C. § 103(a).

Therefore, for at least this reason, Applicants respectfully request that the Examiner withdraw the rejections of claims 6-20 under 35 U.S.C. § 103(a).

*The Cited References Do Not Disclose A Synthesized Beam With Substantially The Same Intensity As The Intensity Of The Laser Beam*

Claims 1, 6 and 16 have been amended to essentially recite that the synthesized beam has substantially the same intensity as the laser beam generated by the beam

generator.

In contrast to the claimed embodiments, the synthesized beam in JP '651 has a variable intensity as shown in Fig. 3. Accordingly, unlike the claimed embodiments, in JP '651, the synthesized beam does not have substantially the same intensity as the source laser beams.

Further, none of remaining cited references cure this deficiency in JP '651.

*The Cited References Do Not Disclose Synthesizing The Laser Beam From The Beam Generators And Controlling/Splitting The Synthesized Beam*

Claim 1 essentially recites that a plurality of beam generators generate laser beams, and a synthesized beam formed by synthesizing the generated laser beams is controlled by the plurality of optical units. Claims 6 and 16 essentially recite that a plurality of beam generators generate laser beams, and a synthesized beam formed by synthesizing the generated laser beams is split by a beam splitter.

In contrast to the claimed embodiments, JP '651 does not disclose generating, synthesizing and then splitting or controlling, but instead discloses generating a laser beam, splitting the generated laser beam into two laser beams, and then synthesizing the two laser beams.

Further, none of remaining cited references cure this deficiency in JP '651.

Therefore, for at least the above reasons, Applicants respectfully submit that claims 1, 6 and 16 are patentable over the cited references.

For at least the reason that claims 2-4 depend from claim 1, claims 7-14 depend from claim 6 and claims 17-20 depend from claim 16, claims 2-4, 7-14 and 17-20 are also submitted to be patentable over the cited references, claims 5 and 15 having been canceled.

Therefore, Applicants respectfully request that the Examiner withdraw the rejections of claims 1-20 under 35 U.S.C. § 103(a).

**DEPENDENT CLAIMS**

Applicants have not independently addressed the rejections of all the dependent claims because Applicants submit that, in view of the amendments to the claims presented herein and, for at least similar reasons as why the independent claims from which the dependent claims depend are believed allowable as discussed, supra, the dependent claims are also allowable. Applicants however, reserve the right to address any individual rejections of the dependent claims should such be necessary or appropriate.

An early and favorable reconsideration is earnestly solicited. If the Examiner has any further questions or comments, the Examiner may telephone Applicants' Attorney to reach a prompt disposition of this application.

Respectfully submitted,



---

Michael F. Morano  
Reg. No. 44,952  
Attorney for Applicants

F. CHAU & ASSOCIATES, LLC  
130 Woodbury Road  
Woodbury, NY 11797  
(516) 692-8888